

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

KELLY BLUM,

Plaintiff,

v.

CIVIL ACTION NO. 2:15-cv-11706

AMERICAN MEDICAL SYSTEMS  
HOLDINGS, INC., et al.,

Defendants.

**MEMORANADUM OPINION AND ORDER**

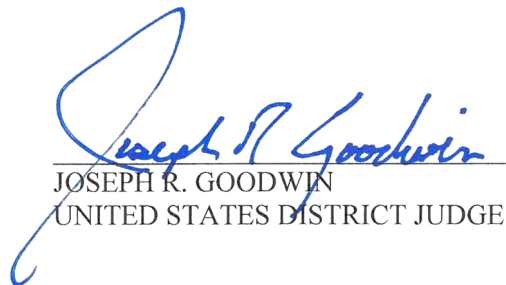
On March 2, 2020, I entered an order directing plaintiff to show cause on or before April 2, 2020, why her case should not be dismissed without prejudice as to defendants, American Medical Systems Holdings, Inc., Endo Pharmaceuticals, Inc., Endo Pharmaceuticals Holdings, Inc., Endo Health Solutions, Inc., and Caldera Medical, Inc., pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and as to defendant, American Medical Systems, Inc., for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure. The Show Cause Order was sent to plaintiff at her address and posted on the court's website for thirty days.

Plaintiff has not responded to the Shown Cause Order. The court **ORDERS** that plaintiff's case must be dismissed without prejudice as to defendants, American Medical Systems Holdings, Inc., Endo Pharmaceuticals, Inc., Endo Pharmaceuticals Holdings, Inc., Endo Health Solutions, Inc., and Caldera Medical, Inc., pursuant to Rule 4(m) for failure to serve the remaining defendants within 90 days after the complaint was filed.

The court further **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that defendant, American Medical Systems, Inc., is dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the case and strike it from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and plaintiff at her address.

ENTER: April 6, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE